

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

RAMON SANCHEZ,	)	
	)	
Plaintiff,	)	Civil Action No. 20-1005
	)	District Judge W. Scott Hardy
v.	)	Magistrate Judge Maureen P. Kelly
	)	
CAPTAIN SILBAUGH, LIEUTENANT	)	Re: ECF No. 196
LEWIS, STEVEN LONGSTREATH,	)	
PSYCHOLOGIST WHITMAN,	)	
PSYCHIATRIST PUSHKALAI PILLAI,	)	
	)	
Defendants.	)	

**MEMORANDUM ORDER**

Ramon Sanchez (“Plaintiff”) is an inmate currently incarcerated at the State Correctional Institution at Phoenix (“SCI – Phoenix”). Through his Second Amended Complaint, ECF No. 65, Sanchez asserts claims against employees of the Pennsylvania Department of Corrections (“DOC”) and a contracted mental health provider related to the conditions of his confinement at the State Correctional Institution at Greene (“SCI – Greene”). Sanchez alleges that Defendants violated his constitutional rights by placing him in a restrictive Security Threat Group Management Unit (“STGMU”) and by failing to provide adequate mental health treatment for the period January 22, 2018, through October 24, 2018. ECF No. 65.

Presently before the Court is Plaintiff’s motion to reopen discovery to obtain access to 23 years of his DOC mental and medical health records. ECF No. 196. Plaintiff contends these records are necessary for purposes of preparation of the trial of this action against DOC Defendants Captain Silbaugh, Lieutenant Lewis, Steven Longstreath, and Psychologist Whitman. *Id.* The DOC Defendants have indicated that they intend to introduce “[e]xcerpts from Plaintiff’s medical and mental health records” as exhibits at trial. ECF No. 188. Plaintiff states he requires full access to

“combat the Defendant(s) allegations regarding those records or the excerpts they’re from.” ECF No. 196.

Upon review of the extensive record in this case, Plaintiff’s motion to reopen discovery will be denied. On July 11, 2022, the Court denied as moot Plaintiff’s Motion to Compel production of his mental health records because Defendants agreed to produce these records in redacted form to omit “clinical and interpretative judgements and impressions.” ECF No. 142 at 6. Plaintiff’s appeal of that portion of the Order approving production in redacted form was affirmed by the District Court on November 15, 2022, based upon the potential for Plaintiff to manipulate his records to undermine DOC’s legitimate security interests. ECF No. 157. That said, on May 3, 2023, Defendant Pushkalai Pillai (“Pillai”) filed a motion for summary judgment with an evidentiary record containing 298 pages of Plaintiff’s unredacted medical and mental health records. ECF Nos. 171, 172-3. Pillai’s certificate of service reflects that the unredacted records were provided to Plaintiff, and Plaintiff has attached excerpts of the unredacted records to his exhibits in opposition to the pending motion for summary judgment. Id., see, e.g., ECF No. 177 at 86.

Should this action proceed to trial, it is anticipated that in accordance with routine pretrial orders, Defendants will identify with specificity any unredacted medical and mental health records that will be introduced as exhibits at trial. At that time, the Court will consider argument that Plaintiff requires access to additional DOC records not already in his possession, provided Plaintiff sets forth an adequate foundation for any such request.

Accordingly, this 14<sup>th</sup> day of August 2023, Plaintiff’s motion to reopen discovery, ECF No. 196, is DENIED without prejudice.

In accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1), and Rule 72.C.2 of the Local Rules of Court, the parties are allowed fourteen (14) days from the date of this Order to file an appeal to the District Judge which includes the basis for objection to this Order. Any appeal is to be submitted to the Clerk of Court, United States District Court, 700 Grant Street, Room 3110, Pittsburgh, PA 15219. Failure to file a timely appeal will constitute a waiver of any appellate rights.

BY THE COURT:

/s/ Maureen P. Kelly  
MAUREEN P. KELLY  
UNITED STATES MAGISTRATE JUDGE

cc: The Honorable W. Scott Hardy  
United States District Judge

All counsel of record via CM/ECF

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